MAR 1 5 2004 (3)

Assistant Commissioner of Patents

Washington, DC 20231

PROTEST UNDER 37 CFR 1.291(a)

Re: Advertising enabled digital content

US File # 20020082913

Filed: 12/22/2000

09/747, 475

MAR 2 5 2004 GROUP 3600

Sirs:

Recently I found the above referenced patent filing and believe this filing has NOT issued in the U.S. The US File # is 20020082913

I am voicing an objection as a concerned third party and as a U.S. Citizen. The patent filing describes at great length an advertising and content delivery system dependent upon a database maintained at the client level. The inventor refers to a traditional client/server system as a "media player" or other executable program/system that resides on a client computer device. Within this system, he builds a database containing a plurality of advertisements dynamically retained at the client terminal as well as content related to the media. The system is described in (0016) (0022) (0025) (0026) (0029) (0031) and others.

The abstract reads in part, "The electronic content has associated therewith a user right which is determined by the executable player. An executable module attached to the executable program obtains at least one electronic advertisement in the event the user right is indicative of a restricted right. The electronic advertisement may be obtained from a advertising server and presented to the user, visually or audibly, during the use of the program acting upon the content."

Selecting a channel, MP3 tune or genre-specific media that is a voluntary user action, will trigger the display of targeted advertising presumably associated with viewers of that media. (0029), Selection of media, or user interface with any other executable program, is the equivalent to voluntarily entering a URL or keyword into a browser locator window that makes a match with an advertising database stored (0025) and maintained at the client software system in the remotely controlled and updated interactive database and in the event a match is made by comparing, an appropriate advertisement is displayed.

Relevant Claims are: 2, 8, 14, 17, 20, 23, 27, and others. Basing ad display based upon program selection comparisons stored at the client level is no different than selecting a URL in a browser or keyword in a search engine. The

media player is simply a software plug-in to a browser that is described and used in prior art.

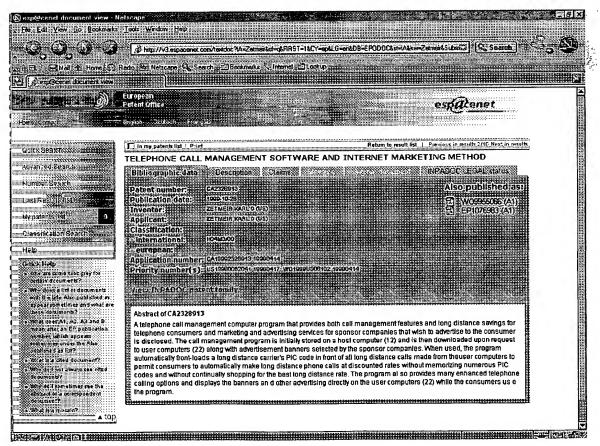
This is referred to as "pull" advertising as a voluntary action on the part of a user interacts with a pre-established and updateable client database and a targeted ad is displayed.

I am objecting to this patent filing, as it is neither novel nor unique. It is of particular note that while no prior art was submitted with this filing correlating to the internet and only some vague references to server profiling systems. The filers are correct that a targeted system based on program selection, URLs or keywords is more accurate and excels in its ability to deliver "relevant" ads at the exact moment of interest. However, the filers did not include the following references:

- 1. US Patent 6,141,010 ... similar technology
- Gator.com (recently changed to Claria.com) has been marketing such a system since 1998 or 1999
- 3. WO9955066 (A1) or EP1076983 (A1) ... similar technology

There may be more prior art preceding the 12/22/2000 filing.

I believe the Examiner should look very closely at the Claims made and judge accordingly.



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Computer interface method and apparatus with targeted advertising	-
Abstract	
A method and apparatus for providing an automatically upgradeable software application that includes targeted advertising based upon demographics and user interaction with the computer. The software application is a graphical user interface that includes a display region used for banner advertising that is downloaded from time to time over a network such as the Internet. The software application is accessible from a server via the Internet and demographic information on the user is acquired by the server and used for determining what banner advertising will be sent to the user. The software application further targets the advertisements in response to normal user interaction, or use, of the computer. Associated with each banner advertisement is a set of data that is used by the software application in determining when a particular banner is to be displayed. This includes the specification of certain programs that the user may have so that, when the user runs the program (such as a spreadsheet program), an advertisement will be displayed that is relevant to that program (such as an advertisement for a stock brokerage). This provides two-tiered, real-time targeting of advertising—both demographically and reactively. The software application includes programming that accesses the serve on occasion to determine if one or more components of the application need upgrading to a newer version. If so, the components are downloaded and installed	

